

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ABRIELLE LONDO,

Plaintiff,

v.

ENRIGHT FAMILY RESTAURANTS, and
STEVE WHELAN,

Defendants.

Case No. 2:20-cv-00053

Hon. Paul L. Maloney
U.S. District Judge

ORDER

This lawsuit was filed by Plaintiff Abrielle Londo, on May 4, 2020, against Defendants Enright Family Restaurants and Steve Whelan. On July 20, 2020, Defendant Steve Whelan filed a pro se answer on behalf of himself and Enright Family Restaurants. (ECF No. 6.)

Federal law specifies that cases in the courts of the United States may be conducted only by the parties personally or through counsel. 28 U.S.C. § 1654. That statute provides that, “in all courts of the United States, the parties may plead and conduct ***their own cases*** personally or by counsel, as, by the rules of such courts, respectively, are permitted to manage and conduct causes therein.” 28 U.S.C. § 1654 (emphasis added). The statute clearly makes no provision for a *pro se* party to represent others.

The federal courts have long held that section 1654 preserves a party’s right to proceed *pro se*, but only with respect to his own claims. *Rowland v. Calif. Men’s*

Colony, Unit II Men's Advisory Council, 506 U.S. 194, 201-03 (1993). The Supreme Court has held that under 28 U.S.C. § 1654, corporations, partnerships, associations, and any other artificial entities may appear in federal courts only through a licensed attorney. *Id.* However, persons operating a business as a sole proprietorship need not be represented by an attorney in federal court proceedings. *In re Fifarek*, 370 B.R. 754, 758 (Bankr. W.D. Mich. 2007).

Defendant Enright Family Restaurants appears to be a corporation. Defendant Steve Whelan is not an attorney and he cannot file an answer on behalf of Defendant Enright Family Restaurants unless he is the sole proprietor of the business. Defendant Steve Whelan has not represented that he is the sole proprietor of Defendant Enright Family Restaurants.

Accordingly, the answer filed by Steve Whelan on behalf of Defendant Enright Family Restaurants is STRICKEN.

IT IS SO ORDERED.

Dated: July 23, 2020

/s/ Maarten Vermaat
MAARTEN VERMAAT
U.S. MAGISTRATE JUDGE